

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 57 (Sub-No. 63X)**

**Soo Line Railroad Company d/b/a Canadian Pacific  
Abandonment Exemption  
Cook County, IL**

**BACKGROUND**

In this proceeding, Soo Line Railroad Company (Soo Line) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Cook County, Illinois. The rail line proposed for abandonment extends 5,253 feet from milepost 0.0 +/- (Milepost 8.9+/- on the Metra main line) and Milepost 0.9 +/- at the intersection of Diversey Avenue in Chicago (Dunning Line; the Line). A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**ENVIRONMENTAL REVIEW**

Soo Line submitted an Environmental Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. Soo Line served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].<sup>1</sup> The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

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<sup>1</sup> The Environmental and Historic Reports are available for viewing on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB 57 (Sub-No. 63X).

<b>SUMMARY OF FINDINGS</b>	
<b>Transportation System</b>	No significant impact.
<b>Land Use</b>	No significant impact.
<b>Energy</b>	No significant impact.
<b>Air</b>	No significant impact.
<b>Noise</b>	No significant impact.
<b>Safety</b>	No significant impact.
<b>Biological Resources</b>	No significant impact.
<b>Water</b>	No significant impact.
<b>Historic Report</b>	No significant impact.

**NO CONDITIONS  
RECOMMENDED**

### ***Diversion of Traffic***

According to Soo Line, no local traffic has moved over the line for at least two years and all overhead traffic was rerouted years ago. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***Salvage Activities***

Impacts from salvage and disposal of the Line includes dismantling or removal of tracks, ties, spikes, plates, railroad-related utilities, signaling devices and other structures that may be present on the rail right-of-way for reuse, sale as scrap, or appropriate disposal. In this proceeding, Soo Line states that its intention is to leave the ballast in place.

Soo Line plans to conduct salvage activities by using the existing right-of-way for access, along with existing public and private road crossings, and no new access roads are contemplated. Soo Line states that the Line does not cross and is not immediately adjacent to any waterway. According to Soo Line, salvage activities would not cause sedimentation or erosion of the soil, and Soo Line does not anticipate any dredging or use of fill when removing the track material. Soo Line states that no debris would be discarded along the right-of-way and any work along the right-of-way would be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials. Additionally, Soo Line states that it will remove the debris (couches, tires, etc.) identified in its environmental and historic reports.

According to Soo Line, the Line is in a primarily commercial and industrial area approximately 8.8 miles west-northwest of the main business district of Chicago, Illinois with

generally flat topography. The Illinois Department of Transportation (IDOT) submitted comment to OEA stating that though the proposed abandonment does not appear to have any impacts to items listed in the environmental and historic report attached to Soo Line's August 14<sup>th</sup> letter, IDOT recommends that Soo Line coordinate efforts with Cook County and the City of Chicago in removing the at-grade crossings on Diversey Avenue.<sup>2</sup> OEA contacted Soo Line, who confirmed that the Line's northern terminus is the southern boundary of Diversey Avenue, and that removal of that crossing is not intended as part of the proposed abandonment. However, Soo Line states that it would coordinate with the City of Chicago's public works department to remove the crossing at Grand and Fullerton Avenues during scheduled street maintenance work.

The Illinois Coastal Management Program (ICMP) submitted comment to OEA that rail line abandonments are not listed in the ICMP plan as an activity that will affect any land or water use or natural resource of the coastal zone and confirmed that federal consistency review pursuant to the Coastal Zone Management Act, 16 U.S.C. § 1451 et seq. is not required. The National Geodetic Survey submitted comment that one geodetic survey mark (ME1638) could be affected by the proposed abandonment, however, the mark is located outside of the right-of-way; accordingly, OEA believes that the mark would not be adversely affected by salvage activities.

The U.S. Fish and Wildlife Service (USFWS) submitted comments stating that the endangered, threatened, and candidate species listed in the table below may be present within the project area:

<b>Endangered Species</b>	<b>Threatened Species</b>	<b>Candidate Species</b>
Piping plover (bird)	Red knot (bird)	Rattlesnake-master borer moth
Leafy prairie-clover	Eastern prairie fringed orchid	Eastern Massasauga (snake – proposed threatened)
Hine's emerald dragonfly	Mead's milkweed	
	Prairie bush-clover	
	Northern long-eared bat	

OEA has determined that approval of the proposed abandonment would have no affect on these listed species, as Soo Line contemplates no alteration of their habitats. USFWS informed OEA that this determination of No Affect would be appropriate and that no formal concurrence by USFWS under the Endangered Species Act is required.

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage

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<sup>2</sup> Soo Line invited consulted parties to comment on any potential impact of the proposed action to local land use; existing local and regional transportation systems; energy use; air emissions and ambient air quality conditions; water quality and wetlands; biological resources including threatened or endangered species; ambient noise levels; public health safety; historic, cultural, or archaeological sites listed or eligible for inclusion on the National Register of Historic Places; and socioeconomics, including local and regional employment. IDOT referenced this list in its comment.

activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts.

## **HISTORIC REVIEW**

Soo Line served the Historic Report on the Illinois Historic Preservation Agency, being the State Historic Preservation Officer (SHPO), pursuant to 49 C.F.R. § 1105.8(c). According to Soo Line, the Dunning Line was constructed in the late 19<sup>th</sup> century by the Chicago, Milwaukee & St. Paul Railway Company, and its existence is noted in the April 1883 edition of *Traveler's Official Guide of the Railway and Steam Navigation Lines in the United States and Canada*. The SHPO has submitted comments stating that the proposed abandonment would not affect any known archaeological sites or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register). OEA has reviewed the report and the information provided by the SHPO, and we concur with the SHPO's comments.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that no known historic properties listed in or eligible for inclusion in the National Register would be affected within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov).

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.<sup>3</sup> The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; and Prairie Band of Potawatomi Nation. Accordingly, OEA is sending a copy of this EA to those tribes for review and comment.

## **CONDITIONS**

We recommend that no environmental or historic conditions be imposed on any decision granting abandonment authority.

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<sup>3</sup> Native American Consultation Database, <http://grantsdev.cr.nps.gov/Nagpra/NACD> (last visited October 5, 2015).

## **CONCLUSIONS**

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Adam Assenza, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB 57 (Sub-No. 63X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Adam Assenza, the environmental

contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at adam.assenza@stb.dot.gov.

Date made available to the public: October 23, 2015.

**Comment due date: November 9, 2015.**

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.  
Attachment